

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andreja Vukmirovic et al.

Group Art Unit: 1612

Application No.: 10/521,296

Confirmation No.: 9213

Filed: May 24, 2005

Examiner: ROGERS, June Marie

**Title: STABLE PHARMACEUTICAL COMPOSITION
COMPRISING ERYTHROPOIETIN**

RESPONSE TO COMMUNICATION MAILED FEBRUARY 3, 2009

Office of Data Management
Application Assistance Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Communication mailed February 3, 2009, Applicants respectfully request that the following remarks be considered.

The information required by 37 CFR 3.73(b) was provided on the Revocation of Power of Attorney and Appointment of Substitute Attorney filed on January 26, 2009.

REMARKS

On January 26, 2009, Applicants filed a Revocation of Power of Attorney and Appointment of Substitute Attorney forms on the following three U.S. Patent Applications; U.S. Application No. 10/521,296; U.S. Application No. 10/583,157; and U.S. Application No. 10/521,298. Using the exact same form for each case, the Applicants provided the assignment information required by 37 CFR 3.73(b) (e.g., reel and frame number) and attached the recordation of assignment as further evidence.

The Revocation of Power of Attorney and Appointment of Substitute forms for U.S. Patent Application Nos. 10/583,157 and 10/521,298 were accepted (see attached). The same form used for U.S. Patent Application 10/521,296 was denied (see attached).

Applicants respectfully assert that the information required by 37 CFR 373(b) is provided in the Revocation of Power of Attorney and Appointment of Substitute Attorney form filed on January 26, 2009, for U.S. Application 10/521,296 as evidenced by the USPTO's acceptance of the same Revocation of Power of Attorney and Appointment of Substitute Attorney forms filed for U.S. Application Nos 10/583,157 and 10/521,298.

Applicants once again respectfully submit the Revocation of Power of Attorney and Appointment of Substitute Attorney form and they urge the Commissioner to reconsider and accept this Power of Attorney and Appointment of Substitute Attorney.

If the Commissioner identifies further issues which may be resolved by telephone, the Commissioner is invited to contact the undersigned at (865) 546-4305.

The fee for this filing, along with any other fees which may be due with respect to this response, may be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: 
Mark S. Graham

Registration No. 32,355

Date: February 13, 2009
P.O. Box 1871
Knoxville, Tennessee 37901
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/521,296	05/24/2005	Andreja Vukmirovic	BP/G-32982A/LEK

CONFIRMATION NO. 9213

72554
SANDOZ INC
506 CARNEFIE CENTER
PRINCETON, NJ 08540

Cc: Mark S. Graham, Esq.
LUEDEKA, NEELY & GRAHAM, P.C.
P.O. Box 1871
Knoxville, TN 37901

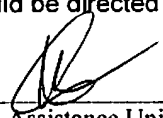
Date Mailed: 02/03/2009

DENIAL OF REQUEST FOR POWER OF ATTORNEY

The request for Power of Attorney filed 01/26/2009 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☒ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of _____, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.

Questions relating to this Notice should be directed to the Application Assistance Unit.


Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/583,157	06/16/2006	Viktor Menart	33581-US-PCT

CONFIRMATION NO. 5099

POA ACCEPTANCE LETTER



Date Mailed: 02/04/2009

Mark S. Graham, Esq.
LUEDEKA, NEELY & GRAHAM, P.C.
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Knoxville, TN 37901

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/26/2009.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/hgray/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/521,298	05/24/2005	Andreja Vukmirovic	BP/G-32983A/LEK

CONFIRMATION NO. 9220

POA ACCEPTANCE LETTER



000000034298059

Date Mailed: 02/04/2009

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